

DOCKET NO.: FBT-CV15-6048078-S : SUPERIOR COURT
JONATHAN SHAPIRO : JUDICIAL DISTRICT OF
: FAIRFIELD

PLAINTIFF

V. : AT BRIDGEPORT

FRANK DELBUONO, JR.
and CITY OF BRIDGEPORT : NOVEMBER 14, 2016

DEFENDANT

MOTION TO FILE RECORD UNDER SEAL

The plaintiff, Jonathan Shapiro, moves pursuant to Practice Book § 7-4C to file several documents under seal. The plaintiff has filed simultaneously herewith a Motion for Protective Order, asking the Court to prohibit the defendants from taking the plaintiff's deposition for a second day. The plaintiff has included as exhibits to the Motion for Protective Order excerpts from the medical records maintained by several of his treating physicians, as well as an excerpts from the plaintiff's deposition transcript. All of these documents contain personal and sensitive information that the plaintiff does not want to be part of the public record. Further, Practice Book § 7-18 provides that, "[h]ospital, psychiatric and medical records shall not be filed with the clerk

unless such records are submitted in a sealed envelope clearly identified with the case caption, the subject's name and the health care provider, institution or facility from which said records were issued. . . ." As such, the plaintiff will lodge these exhibits with the Court in a sealed manila envelope pursuant to Practice Book § 7-4C(b).

The plaintiff's interest in having these documents and the information contained within them sealed is substantial. Most of these documents are medical records maintained by the plaintiff's various providers and should therefore not be made public. Further, the deposition transcript contains personal information regarding the plaintiff's prior drug use, which also should not be made public. There is no overriding interest of the public to have access to this information, as all of this information is personal and private. Further, the Practice Book is clear that medical records are to be sealed. Finally, there is not available a more narrowly tailored method of protecting the plaintiff's interest in keeping these documents and the information contained therein private.

The plaintiff asks that the Court grant this Motion to File Record Under Seal so that this personal medical and other information can be sealed and will not be part of the public record.

THE PLAINTIFF

BY



Kevin C. Shea
CLENDENEN & SHEA, LLC
400 Orange Street
New Haven, CT 06502
203/787-1183

CERTIFICATION:

This is to certify that a copy of the foregoing was sent via email this 14th of November, 2016, to Russell D. Liskov, Associate City Attorney, Office of the City Attorney, at Russell.Liskov@bridgportct.gov.



CLENDENEN & SHEA, LLC